



California Regional Water Quality Control Board

Los Angeles Region



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ORDER NO. R4-2007-0022 GENERAL NPDES PERMIT NO. CAG914001

WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES OF TREATED GROUNDWATER FROM INVESTIGATION AND/OR CLEANUP OF VOLATILE ORGANIC COMPOUNDS CONTAMINATED-SITES TO SURFACE WATERS IN COASTAL WATERSHEDS OF LOS ANGELES AND VENTURA COUNTIES

This Order was adopted by the Regional Water Board on:	April 5, 2007
This Order shall become effective on:	June 5, 2007
This Order shall expire on:	April 5, 2012
The U.S. Environmental Protection Agency and the Regional Water Quality Control Board have classified discharges covered under this General NPDES Permit as a minor discharge.	

IT IS HEREBY ORDERED, that Order No. R4-2002-0107 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the federal Clean Water Act, and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order.

I, Jonathan Bishop, Executive Officer, do hereby certify the following is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on April 5, 2007

Jonathan Bishop, Executive Officer

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

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I. DISCHARGE INFORMATION

The presence of volatile organic compounds (VOCs) in the groundwater at various sites throughout the region causes, or threatens to cause, adverse impacts to existing and potential beneficial uses of the underlying groundwater. Remediation of these sites includes similar groundwater treatment and monitoring requirements. Waste discharges from these sites will be more efficiently regulated with a general permit rather than individual permits. Waste waters discharged from the investigation and/or cleanup of the groundwater involving VOCs contamination include, but are not limited to, the following:

1. Treated groundwater from the cleanup and/or construction dewatering activities at a site impacted by VOCs only, or by VOCs commingled with petroleum fuel hydrocarbons at an underground storage tank (UST) site. Such UST site may have storm water collected in fuel storage secondary containment tanks and fuel spill washwater that contains similar contaminants as those from the investigation/cleanup of VOCs contaminated groundwater.
2. Groundwater pumped as an aid in the containment and extraction of VOCs-contaminated groundwater.
3. Groundwater extracted during short-term and long-term pumping test/aquifer testing.
4. Groundwater generated from well development and purging of wells prior to sampling.
5. Sampling equipment decontamination water.
6. Subterranean seepage dewatering.

Either aeration processes or adsorption processes (or combination of the two) are the treatment processes typically used to remove the volatile organic compounds from groundwater. When designed properly and operated efficiently, most aeration and/or granular activated carbon systems can lower the concentration of VOCs and petroleum pollutants to below the detection limits. Limits established in the Order for VOCs and the petroleum pollutants can be met consistently if these treatment systems (or enhancements thereto) are properly operated and maintained.

II. NOTIFICATION REQUIREMENTS

A. General Permit Application

To be authorized to discharge under this Order, the Discharger must apply for enrollment under the General National Pollutant Discharge Elimination System (NPDES) permit by submitting to the Regional Water Board a Notice of Intent (NOI) form and fee payable to: State Water Resources Control Board.

a. Notice of Intent

1. Both Existing and New Dischargers eligible to seek coverage under the General NPDES permit shall submit to the Executive Officer a complete NOI, including all information required by the NOI. The NOI is incorporated as Attachment C to this Order.
2. The Discharger must obtain and analyze (using appropriate sampling and laboratory methods) a representative sample(s) of the groundwater to be treated and discharged under this Order. The analytical method(s) used shall be capable of achieving a

detection limit at or below the minimum level¹, otherwise, a written explanation shall be provided. The analytical result shall be submitted with the NPDES application. The data shall be tabulated and shall include the results for every constituent listed on Attachment E.

3. The NOI for a new discharger shall be accompanied by an enrollment fee in accordance with the Section 2200 *Annual Fee Schedules* of California Code of Regulations Title 23, Division 3, Chapter 9. The check or money order shall be made payable to the "State Water Resources Control Board".
4. Upon request, the Discharger shall submit any additional information that the Executive Officer deems necessary to determine whether the discharge meets the criteria for coverage under this Order, or to prescribe an appropriate monitoring and reporting program, or both.

b. Deadline for Submission

1. Renewal of permits for existing Dischargers covered under individual permits that meet the eligibility criteria requirement and have submitted a Report of Waste Discharge (ROWD) or an NOI will consist of a letter of determination from the Executive Officer of coverage under this Order.
2. Existing Dischargers that were authorized to discharge under Order R4-2002-0107 will be sent an NOI form that must be completed and returned to the Regional Water Board within 60 days of receipt; otherwise, permit coverage may be revoked. Existing Dischargers enrolling under this Order are required to collect representative groundwater sample(s) and analyze the samples for all the constituents listed on Attachment E. Dischargers shall conduct this analysis and submit the result with the NOI; otherwise, the existing authorization may be terminated. If the analytical test results of any constituent other than VOCs or other constituents limited in Section II. B. of this Order exceeds the water quality screening criteria listed on Attachment E, the discharge will be considered ineligible for enrollment. The discharger will be enrolled under other appropriate General NPDES Permit or an individual permit. Thereafter, the existing enrollment will be terminated.
3. New Dischargers shall file a complete NOI at least 45 days before commencement of the discharge.

c. Failure to Submit a NOI

Existing Dischargers who fail to submit a complete NOI by the deadline established herein will be deemed as out of compliance with the General NPDES Permit and subject to all penalties allowable pursuant to applicable provisions of the Clean Water Act and the California Water Code including Section 13261 thereof.

d. Authorization of Coverage

Upon receipt of the application, the Executive Officer shall determine the applicability of this Order to such a discharge. If the discharge is eligible, the Executive Officer shall notify the Discharger that the discharge is authorized under the terms and conditions of this Order and prescribe an appropriate monitoring and reporting program. For new discharges, the

¹ The minimum levels are those published by the State Water Quality Control Board in the Policy for the Implementation of Toxic Standards for Inland Surface Water, Enclosed Bays, and Estuaries of California, March 2, 2000. See attached Appendix A.

discharge shall not commence until receipt of the Executive Officer's written determination of eligibility for coverage under this General NPDES Permit. The Executive Officer may require a Discharger to comply with the conditions of this General NPDES Permit even if the Discharger has not submitted an NOI to be covered by the General NPDES Permit.

e. Notice of Start-Up

New Dischargers shall notify the Regional Water Board staff of the time and date for commencement of the discharge(s) authorized under the General NPDES Permit at least 7 days prior to initiating a discharge.

B. Eligibility Requirements

a. Eligibility

1. This order covers discharges to surface waters of treated groundwater and other wastewaters from the investigation, cleanup, or construction dewatering of VOCs-only or VOCs commingled with petroleum fuel hydrocarbons contaminated groundwater.
2. To be covered under this Order, a Discharger must demonstrate that:
 - a. Pollutant concentrations in the discharge shall not cause violation of any applicable water quality objective for the receiving waters, including discharge prohibitions;
 - b. The discharge shall not exceed the water quality criteria for toxic pollutants (Section V. A. and Attachment B. of this Order), and there shall be no reasonable potential to cause or contribute to an excursion above the criteria.
 - c. A representative sample of the contaminated groundwater to be treated and discharged does not exceed the water quality screening criteria for any constituent listed on Attachment E, other than those for which limitations are established in Section II.
 - d. The discharge shall not cause acute nor chronic toxicity in receiving waters;
 - e. The discharge shall pass through a treatment system designed and operated to reduce the concentration of contaminants to meet the effluent limitations of this Order; and
 - f. The Discharger shall be able to comply with the terms or provisions of this General NPDES Permit.

b. Ineligibility

Discharges of treated groundwater impacted by heavy metals (excluding lead, chromium III and chromium VI) or other toxic pollutants not limited in this permit are not eligible for discharge under this General NPDES Permit.

C. Exclusion of Coverage

a. Termination of Discharges

Dischargers shall submit a Notice of Termination (NOT) when coverage under this General NPDES Permit is no longer needed. An NOT is a letter or form that lists the Waste Discharge Identification Number (WDID), the name and address of the owner of the facility,

and is signed and dated by the owner certifying that the Discharge associated with the General NPDES Permit has been eliminated. Upon submission, the Discharger is no longer authorized to discharge wastewater associated with this General NPDES Permit.

b. Changes from Authorization Under General Permit to Individual Permit

Dischargers already covered under the NPDES program, whether by general or individual permit, may elect to continue coverage under the existing permit or may submit a complete NOI for coverage under this General NPDES Permit. Dischargers who submit a complete application under this General NPDES Permit are not required to submit an individual permit application. The Regional Water Board may request additional information and determine that a Discharger is not eligible for coverage under this General NPDES Permit and would be better regulated under an individual or other general NPDES permit or, for discharges to land, under waste discharge requirements (WDRs). If Regional Water Board issues an NPDES permit or WDRs, the applicability of this General NPDES Permit to the specified discharge is immediately terminated on the effective date of the NPDES permit or WDRs.

c. Transferring Ownership

Coverage under this Order may be transferred in case of change of ownership of land or discharge facility provided the existing discharger notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes a written agreement between the existing and new dischargers containing a specific date of transfer of coverage, responsibility for compliance with this Order, and liability between them.

D. Basis for Fee

Title 23 of the California Code of Regulations (CCR), Division 3, Chapter 9, Article 1, section 2200, *Annual Fee Schedule*, requires that all discharges subject to a specific general permit shall pay the same annual fee.

Discharges covered under this General NPDES Permit have a Threat to Water Quality rating of 1.A. Discharge requires treatment systems to meet toxic priority pollutant limits that could impair the designated beneficial uses of the receiving water if limits are violated.

E. Notification of Interested Parties

The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of notification are provided in the Fact Sheet of this Order.

III. FINDINGS

A. Legal Authorities.

This Order is issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (USEPA), and chapter 5.5, division 7 of the California Water Code (CWC, commencing with section 13370). It shall serve as an NPDES permit for point source discharges of wastewaters generated from the investigation or cleanup of volatile organic compounds (VOCs) in the groundwater to surface

waters under the jurisdiction of the California Water Quality Control Board-Los Angeles Regional (Regional Water Board). This Order also serves as Waste Discharge Requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the CWC (commencing with section 13260).

B. Background

The State Water Resources Control Board (State Water Board) has been authorized by the USEPA, pursuant to Section 402 of the CWA, to administer the NPDES program in California since 1973. The procedures for the State Water Board and the Regional Water Board to issue NPDES permits pursuant to NPDES regulations at section 122 & 123, title 40 of the Code of Federal Regulations², were established through the NPDES Memorandum of Agreement between the USEPA and the State Water Board on September 22, 1989.

Section 122.28 provides for issuance of General NPDES permits to regulate a category of point sources if the sources a) involve the same or substantially similar types of operations; b) discharge the same type of waste; c) require the same type of effluent limitations or operating conditions; d) require similar monitoring; and e) are more appropriately regulated under a general permit rather than individual permits. General NPDES permits enable Regional Water Board staff to expedite the processing of requirements, simplify the application process for Dischargers, better utilize limited staff resources, and avoid the expense and time involved in repetitive public noticing, hearings, and permit adoptions.

On May 12, 1997, this Regional Water Board adopted the General NPDES Permit and WDRs for Discharges of Volatile Organic Compound Contaminated Groundwater to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (NPDES No. CAG914001, Order No. 97-044). The General NPDES Permit covered discharges of groundwater to surface waters resulting from the cleanup of VOCs contaminated-groundwater and similar discharges. On May 23, 2002, the Regional Water Board adopted Order No. R4-2002-0107 and rescinded Order No. 97-044. Approximately 26 dischargers are currently enrolled under the General NPDES Permit.

C. Pollutants of Concern

The VOCs covered by the Order include:

Table 1. Pollutants of Concern

acetone	acrolein	acrylonitrile
benzene	bromoform	carbon tetrachloride
chlorobenzene	chlorodibromomethane	chloroethane
chloroform	dichlorobromomethane	1,1-dichloroethane
1,2-dichloroethane	1,1-dichloroethylene	1,2-dichloropropane
1,3-dichloropropylene	di-isopropyl ether	1,4-dioxane
ethylbenzene	ethylene dibromide	lead
methyl bromide	methyl chloride	methylene chloride
methyl ethyl ketone	methyl tertiary butyl ether	naphthalene
n-nitrosodimethyl amine	perchlorate	tertiary butyl alcohol
1,1,2,2-tetrachloroethane	tetrachloroethylene	toluene
total petroleum hydrocarbons	1,2-trans-dichloroethylene	1,1,1-trichloroethane

² All further statutory references are to title 40 of the Code of Federal Regulations unless otherwise indicated.

1,1,2-trichloroethane	trichloroethylene	vinyl chloride
xlenes	residual chlorine	chromium III
chromium VI		
Only those constituents that show reasonable potential will be limited in the discharge as specified in the Fact Sheet of the enrollment letter.		

D. Incorporation of Attachments

The Regional Water Board developed the requirements in this Order based on information submitted as part of the permitting application, through monitoring and reporting reports, and other available information. The background information and rationale for the Order requirements are contained in Attachment F, Fact Sheet and constitutes part of the Findings for this Order, which is hereby incorporated into this Order. Attachments A through E are also hereby incorporated into this Order.

E. California Environmental Quality Act (CEQA)

Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of CEQA, Public Resources Code sections 21100-21177.

F. Technology-Based Effluent Limitations

Section 301(b) of the CWA and implementing USEPA permit regulations at Section 122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Best Professional Judgment (BPJ) in accordance with Section 125.3. A detailed discussion of the technology-based effluent limitations development is included in the Fact Sheet.

The effluent limitations from groundwater cleanup projects regulated under this permit are calculated assuming no dilution. For most practical purposes, discharges from groundwater cleanups do not flow directly into receiving waters with enough volume to consider dilution credit or to allocate a mixing zone. Most discharges of treated groundwater regulated under this general permit are to storm drain systems that discharge to creeks and streams. Many of these creeks and streams are dry during the summer months. Therefore, for many months of the year, these discharges may represent all or nearly all of the flow in some portions of the receiving creeks or streams. These discharges, therefore, have the potential to recharge ground waters protected as drinking waters.

Because this Order is intended to serve as a general NPDES permit and covers discharges to all surface waters in the Los Angeles Region, the effluent limitations established pursuant to this general order are established to protect the most protective water quality objective for the surface water beneficial uses in the Los Angeles Region.

G. Water Quality-Based Effluent Limitations

Section 301(b) of the CWA and Section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards. NPDES regulations in Section 122.44(d)(1)(i) mandates that permits include effluent limitations for all pollutants that are or may be discharged at levels that

have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) USEPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in Section 122.44(d)(1)(vi).

H. Water Quality Control Plans

The Regional Water Board adopted a revised basin plan, *Water Quality Control Plan, Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) on June 13, 1994 that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. The Basin Plan on Page 2-4 states that the beneficial uses of any specifically identified water body generally apply to its tributary streams. In addition, the Basin Plan implements State Water Resources Control Board (State Water Board) Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply.

I. Receiving Water Beneficial Uses

The Basin Plan contains water quality objectives for, and lists the beneficial uses of, specific water bodies (receiving waters) in the Los Angeles Region. Typical beneficial uses covered by this Order include the following:

1. Inland surface waters above an estuary - municipal and domestic supply, industrial service and process supply, agricultural supply, groundwater recharge, freshwater replenishment, aquaculture, warm and cold freshwater habitats, inland saline water and wildlife habitats, water contact and noncontact recreation, fish migration, and fish spawning.
2. Inland surface waters within and below an estuary - industrial service supply, marine and wetland habitats, estuarine and wildlife habitats, water contact and noncontact recreation, commercial and sport fishing, aquaculture, migration of aquatic organisms, fish migration, fish spawning, preservation of rare and endangered species, preservation of biological habitats, and shellfish harvesting.
3. Coastal Zones (both nearshore and offshore) - industrial service supply, navigation, water contact and noncontact recreation, commercial and sport fishing, marine habitat, wildlife habitat, fish migration and spawning, shellfish harvesting, and rare, threatened, or endangered species habitat.

Requirements of this Order implement the Basin Plan. The Regional Water Board has developed a number of Total Maximum Daily Load (TMDL) for impaired waterbodies in the Los Angeles Region to reduce pollutants which are identified in CWA section 303(d) list. These pollutants are classified into the categories of bacteria, chloride, coliforms, metals, toxics, and trash. All of the TMDL requirements are considered and those applicable to this Order are implemented in the discharge limitations. A detailed analysis of the availability and applicability of the Regional Water Board's TMDL requirements are included in the Fact Sheet of this Order.

J. National Toxics Rule (NTR) and California Toxics Rule (CTR)

USEPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995 and November 9, 1999. About forty criteria in the NTR applied in California. On May 18, 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants.

K. State Implementation Policy

On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on April 28, 2000 with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Board in the Basin Plan. The SIP became effective on May 18, 2000 with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005 that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.

L. Compliance Schedules and Interim Requirements. (Not Applicable)

M. Alaska Rule.

On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards (WQS) become effective for CWA purposes. (40 C.F.R. § 131.21; 65 Fed. Reg. 24641 (April 27, 2000).) Under the revised regulation (also known as the Alaska rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000 may be used for CWA purposes, whether or not approved by USEPA.

N. Stringency of Requirements for Individual Pollutants.

Water quality-based effluent limitations have been scientifically derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant water quality-based effluent limitations were derived from the CTR, the CTR is the applicable standard pursuant to section 131.38. The scientific procedures for calculating the individual water quality-based effluent limitations for priority pollutants are based on the CTR-SIP, which was approved by USEPA on May 18, 2000. All beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by USEPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to USEPA prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless "applicable water quality standards for purposes of the CWA" pursuant to section 131.21(c)(1). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

O. Antidegradation Policy

NPDES regulations in Section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. As discussed in detail in the Fact Sheet the permitted discharge is consistent with the antidegradation provision of Section 131.12 and State Water Board Resolution No. 68-16.

P. Anti-Backsliding Requirements.

Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at Section 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order.

Q. Monitoring and Reporting.

Section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 authorizes the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. A Monitoring and Reporting Program (MRP) is tailored according to discharger's individual situation and is provided together with the coverage authorization letter signed by the Executive Officer of the Regional Water Board.

R. Standard and Special Provisions.

Standard Provisions, which apply to all NPDES permits in accordance with section 122.41, and additional conditions applicable to specified categories of permits in accordance with section 122.42, are provided in Attachment D. The discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42. The Regional Water Board has also included in this Order special provisions applicable to the Discharger. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet.

S. Notification of Interested Parties.

The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of notification are provided in the Fact Sheet of this Order.

T. Consideration of Public Comment.

The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet of this Order.

IV. DISCHARGE PROHIBITIONS

1. Discharges of any waste at a location different from that described in this Order are prohibited.
2. Discharges of any waste, other than those which meet eligibility requirements in Section II. B. of this Order are prohibited, unless the Discharger is regulated by another NPDES permit or discharged to a permitted facility.
3. Discharges of extracted and/or treated groundwater in excess of the flow rates as authorized by the Executive Office of the Regional Water Board are prohibited.
4. Discharges that contain any substances in concentrations toxic to human, animal, plant, or aquatic life are prohibited.
5. Discharges causing a violation of any applicable water quality standards for receiving waters as required by the CWA and regulations adopted thereunder are prohibited.
6. Pollution, contamination, or nuisance as defined by Section 13050 of the CWC, which are created by the treatment or the discharge of pollutants authorized under this Order, are prohibited.
7. Discharges of any radiological, chemical, or biological warfare agent or high level radiological waste are prohibited.
8. Bypass or overflow of untreated or partially treated contaminated groundwater to waters of the State either at the treatment system or from any of the collection or transport systems or pump stations tributary to the treatment system is prohibited.

V. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations

1. Discharge of an effluent from the outfall location listed in the Fact Sheet of the enrollment letter in excess of the following limitations is prohibited: (The Regional Water Board Executive Officer shall list applicable effluent limitations in the Fact Sheet of the enrollment letter for toxic constituents in Table below.)

Table 2. Effluent Limitations

Parameters	Units	Effluent Limitations	
		Average Monthly	Maximum Daily
Total Suspended Solids	mg/L	50	150
Turbidity	NTU	50	150
BODs 20°C	mg/L	20	30
Oil and Grease	mg/L	10	15
Settleable Solids	ml/L	0.1	0.3
Sulfides	mg/L		1.0
Phenols	mg/L		1.0
Residual Chlorine	mg/L		0.1
Acetone	µg/L		700

Parameters	Units	Effluent Limitations	
		Average Monthly	Maximum Daily
Acrolein	µg/L		100
Acrylonitrile	µg/L		0.059
Benzene	µg/L		1.0
Bromoform	µg/L		4.3
Carbon tetrachloride	µg/L		0.25*
Chlorobenzene	µg/L		30
Chlorodibromomethane	µg/L		0.401*
Chloroethane	µg/L		100
Chloroform	µg/L		100
Dichlorobromomethane	µg/L		0.56
1, 1-Dichloroethane	µg/L		5
1, 2-Dichloroethane	µg/L		0.38*
1, 1-Dichloroethylene	µg/L		0.057*
1, 2-Dichloropropane	µg/L		0.52
1, 3-Dichloropropylene	µg/L		0.5
Di-isopropyl ether (DIPE)	µg/L		0.8
1,4-Dioxane	µg/L		3
Ethylbenzene	µg/L		700
Ethylene dibromide	µg/L		0.05*
Lead, Total Recoverable	µg/L	2.6	5.2
Chromium III, Total Recoverable	µg/L	50	50
Chromium VI, Total Recoverable	µg/L	8	16
Methyl bromide	µg/L		10
Methyl chloride	µg/L		3
Methylene chloride	µg/L		4.7
Methyl ethyl ketone (MEK)	µg/L		700
Methyl tertiary butyl ether (MTBE)	µg/L		5
Naphthalene	µg/L		21
N-Nitrosodimethyl amine (NDMA)	µg/L		0.00069*
Perchlorate	µg/L		4
Tertiary butyl alcohol (TBA)	µg/L		12
1,1,2,2- Tetrachloroethane	µg/L		0.17*
Tetrachloroethylene	µg/L		0.8
Toluene	µg/L		150
Total petroleum hydrocarbons*	µg/L		100

Parameters	Units	Effluent Limitations	
		Average Monthly	Maximum Daily
1,2- Trans-trichloroethylene	µg/L		10
1,1,1- Trichloroethane	µg/L		200
1,1,2- Trichloroethane	µg/L		0.60
Trichloroethylene	µg/L		2.7
Vinyl chloride	µg/L		0.5
Xylenes	µg/L		1750
<p>NOTE: *. If reported detection level is greater than effluent limit, then a non-detect result using 0.5 µg/L detection level is deemed to be in compliance.</p> <p>** Toxicity of this chemical increases with decreasing hardness concentration. The figure in the table is determined based on effluent CaCO₃ concentration of 100 mg/L.</p>			

- The pH of the discharge shall at all times be within the range of 6.5 and 8.5.
- The temperature of the discharge shall not exceed 100°F.
- The discharge of an effluent with mineral and nitrogen constituents in excess of applicable limits given in Attachment B is prohibited. In the letter of determination, the Executive Officer shall indicate the watershed/stream reach limitations in Attachment B applicable to the particular discharge.
- Pass-through or uncontrollable discharges of PCBs shall not exceed daily average concentrations of 14 ng/L into fresh waters or 30 ng/L into estuarine waters.
- The acute toxicity of the effluent shall be such that the average survival in the undiluted effluent for any three (3) consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, with no single test less than 70% survival.
- The discharge shall meet effluent limitations and toxic and effluent standards established pursuant to sections 301, 302, 304, 306, and 307 of the CWA, and amendments thereto.

B. Land Discharge Specifications (Not Applicable)

C. Reclamation Specifications (Not Applicable)

VI. RECEIVING WATER LIMITATIONS

A. Surface Water Limitations

Receiving water limitations are based on water quality objectives contained in the Basin Plan and are a required part of this Order.

- The discharge shall not cause the following to be present in receiving waters:
 - Toxic pollutants at concentrations that will bioaccumulate in aquatic life to levels that are harmful to aquatic life or human health.

- b. Biostimulatory substances at concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses.
 - c. Chemical substances in amounts that adversely affect any designated beneficial use.
 - d. Visible floating materials, including solids, liquids, foams, and scum.
 - e. Oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the receiving water or on objects in the water.
 - f. Suspended or settleable materials in concentrations that cause nuisance or adversely affect beneficial uses.
 - g. Taste or odor-producing substances in concentrations that alter the natural taste, odor, and/or color of fish, shellfish, or other edible aquatic resources; cause nuisance; or adversely affect beneficial uses.
 - h. Substances that result in increases of BOD₅20°C that adversely affect beneficial uses.
 - i. Fecal coliform concentrations which exceed a log mean of 200 per 100 ml (based on a minimum of not less than four samples for any 30-day period), nor shall more than 10% of total samples during any 30-day period exceed 400 per 100 ml.
 - j. Concentrations of toxic substances that are toxic to, or cause detrimental physiological responses in, human, animal, or aquatic life.
2. The discharge shall not cause the following to occur in the receiving waters:
- a. The dissolved oxygen to be depressed below:

WARM ³ designated waters	5 mg/L
COLD ³ designated waters	6 mg/L
COLD and SPWN ³ designated waters	7 mg/L
 - b. The pH to be depressed below 6.5 or raised above 8.5, and the ambient pH levels to be changed from natural conditions in inland waters more than 0.5 units or in estuaries more than 0.2 units.
 - c. The temperature at any time or place and within any given 24-hour period to be altered by more than 5 F above natural temperature; but at no time be raised above 80°F for waters with a beneficial use of WARM (Warm Freshwater Habitat).
 - d. The turbidity to increase to the extent that such an increase causes nuisance or adversely affects beneficial uses; such increase shall not exceed 20% when the natural turbidity is over 50 NTU or 10% when the natural turbidity is 50 NTU or less.
 - e. Residual chlorine in concentrations that persist and impairs beneficial uses.
 - f. Any individual pesticide or combination of pesticides in concentrations that adversely affect beneficial uses or increase pesticide concentration in bottom sediments or aquatic life.
3. The discharge shall not alter the color, create a visual contrast with the natural appearance, nor cause aesthetically undesirable discoloration of the receiving waters.

³ Beneficial Uses: WARM - Warm Freshwater Habitat; COLD - Cold Freshwater Habitat; SPWN - Spawning, Reproduction, and/or Early Development.

4. The discharge shall not degrade surface water communities and populations, including vertebrate, invertebrate, and plant species.
5. The discharge shall not damage, discolor, nor cause formation of sludge deposits on flood control structures or facilities nor overload their design capacity.
6. The discharge shall not cause problems associated with breeding of mosquitos, gnats, black flies, midges, or other pests.
7. Create nuisance, or adversely effect beneficial uses of the receiving water.
8. Violation of any applicable water quality standards for receiving waters adopted by the Regional Water Board or State Water Board. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the CWA, or amendments thereto, the Regional Water Board will revise or modify this Order in accordance with such standards.

B. Groundwater Limitations (Not Applicable)

VII. PROVISIONS

Standard Provisions, which apply to all NPDES permits in accordance with Section 122.41 & 122.42, are included in this Order. The Discharger must comply with all standard provisions and with those additional conditions that are applicable under Section 122.42. The Regional Water Board has also provided in this Order special provisions applicable to the Discharger. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet.

A. Standard Provisions

1. The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.
2. The Discharger shall comply with the following provisions:
 - a. The Executive Officer may require any discharger authorized under this Order to apply for and obtain an individual NPDES permit with more specific requirements. The Executive Officer may require any discharger authorized to discharge under this permit to apply for an individual permit only if the discharger has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the discharger to file the application, and a statement that on the effective date of the individual permit, the authority to discharge under this General Permit is no longer applicable.
 - b. Prior to application, the discharger shall submit for Executive Officer's approval the list of chemicals and proprietary additives that may affect the discharge, including rates/quantities of application, compositions, characteristics, and material safety data sheets, if any.
 - c. Oil or oily materials, chemicals, refuse, or other materials that may cause pollution in storm water and/or urban runoff shall not be stored or deposited in areas where they may be picked up by rainfall/urban runoff and discharged to surface waters. Any spill of such materials shall be contained, removed and cleaned immediately.

- d. This Order neither exempt the discharger from compliance with any other laws, regulations, or ordinances that may be applicable, nor legalize the waste disposal facility.
- e. The discharger shall at all times properly operate and maintain all facilities and systems installed or used to achieve compliance with this Order.
- f. Pursuant to 40 CFR section 122.61(b), coverage under this Order may be transferred in case of change of ownership of land or discharge facility provided the existing discharger notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes a written agreement between the existing and new dischargers containing a specific date of transfer of coverage, responsibility for compliance with this Order, and liability between them.
- g. Any discharge authorized under this Order may request to be excluded from the coverage of this Order by applying for an individual permit.
- h. Pursuant to Section 122.28 (b) (2), the Executive Officer may require a Discharger to comply with the conditions of this General NPDES Permit, and that Discharger is therefore obligated to meet all discharge limitations and monitoring and reporting requirements of the General NPDES Permit, even if the Discharger has not submitted an NOI to be covered by the General NPDES Permit. The Executive Officer may require an existing Discharger to submit a new NOI, may revise an existing Discharger's monitoring and reporting programs, may require an existing Discharger to participate in a regional monitoring program, or any combination of the foregoing.
- i. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.
- j. For the purpose of renewal of existing individual NPDES permits with this General NPDES Permit, provided that all the conditions of this General NPDES Permit are met, renewal is effective upon issuance of a notification by the Executive Officer and issuance of a new monitoring program.
- k. When an individual NPDES permit with more specific requirements is issued to a Discharger, the applicability of this Order to that Discharger is automatically terminated on the effective date of the individual permit.
- l. **Expiration Date and Continuation of this Order** This Order expires on April 5, 2012; however, for those dischargers authorized to discharge under this Order, it shall continue in full force and effect until a new order is adopted. Notwithstanding Provision k of Order R4-2002-0107, discharges that are regulated under the Order on or before April 5, 2007 and have submitted a completed NOI form may continue under the expiring Order until enrollment under this current Order.
- m. **Reauthorization** Upon re-issuance of a new general permit order, dischargers authorized under this Order shall file a Notice of Intent within 60 days of notification by the Executive Officer.
- n. **Rescission** Except for enforcement purposes, Orders No. R4-2002-0107, adopted by this Regional Board on May 23, 2002, is hereby rescinded, although dischargers presently enrolled under the Order may continue coverage in conformance with Part II. A. b. of this Order until enrolled under this Order.

B. Monitoring and Reporting Program Requirements

The Discharger shall comply with the MRP accompanying the transmittal letter for enrollment under this General NPDES Permit. If there is any conflict between provisions in the MRP and the Standard Provisions, those provisions in the MRP shall prevail.

C. Special Provisions

1. Reopener Provisions

Pursuant to 40 CFR sections 122.62 and 122.63, this Order may be modified, revoked and reissued, or terminated for cause. Reasons for modification may include new information on the impact of discharges regulated under this Order become available, promulgation of new effluent standards and/or regulations, adoption of new policies and/or water quality objectives, and/or new judicial decisions affecting requirements of this Order. In addition, if receiving water quality is threatened due to discharges covered under this permit, this permit will be reopened to incorporate more stringent effluent limitations for the constituents creating the threat. TMDLs have not been developed for all the parameters and receiving waters on the 303(d) list. When TMDLs are developed this permit may be reopened to incorporate appropriate limits. In addition, if TMDL identifies that a particular discharge covered under this permit is a load that needs to be reduced; this permit will be reopened to incorporate appropriate TMDL based limit and/or to remove any applicable exemptions.

2. Special Studies, Technical Reports and Additional Monitoring Requirements (Not Applicable)

3. Best Management Practices of Pollution Prevention (Not Applicable)

4. Construction, Operation and Maintenance Specifications (Not Applicable)

5. Special Provisions for Municipal Facilities (POTWs) (Not Applicable)

6. Compliance Schedules (Not Applicable)

7. Other Special Provisions (Not Applicable)

VIII. COMPLIANCE DETERMINATION

Compliance with the effluent limitations contained in section IV of this Order will be determined as specified below:

A. General.

Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined in the MRP and Appendix A of this Order. For purposes of reporting and administrative enforcement by the Regional and State Water Boards, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).

B. Multiple Sample Data.

When determining compliance with an AMEL or MDEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

C. Average Monthly Effluent Limitation (AMEL).

If the average (or when applicable, the median determined by subsection B above for multiple sample data) of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single violation, though the Discharger will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Discharger will be considered out of compliance for that calendar month. The Discharger will only be considered out of compliance for days when the discharge occurs. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month.

D. Average Weekly Effluent Limitation (AWEL).

If the average <(or when applicable, the median determined by subsection B above for multiple sample data)> of daily discharges over a calendar week exceeds the AWEL for a given parameter, this will represent a single violation, though the Discharger will be considered out of compliance for each day of that week for that parameter, resulting in 7 days of non-compliance. If only a single sample is taken during the calendar week and the analytical result for that sample exceeds the AWEL, the Discharger will be considered out of compliance for that calendar week. The Discharger will only be considered out of compliance for days when the discharge occurs. For any one calendar week during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar week.

E. Maximum Daily Effluent Limitation (MDEL).

If a daily discharge exceeds the MDEL for a given parameter, the Discharger will be considered out of compliance for that parameter for that 1 day only within the reporting period. For any 1 day during which no sample is taken, no compliance determination can be made for that day.

F. Instantaneous Minimum Effluent Limitation.

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

G. Instantaneous Maximum Effluent Limitation.

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).